

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: )  
)  
Thomas R. Werner et al. )  
)  
Serial No: 10/028,439 ) Art Unit  
) 2828  
Filed: December 28, 2001 )  
)  
For: INTERGRAL VERTICAL CAVITY SURFACE )  
EMITTING LASER AND POWER MONITOR )  
)  
Examiner: Dung T. Nguyen )

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully disagrees with the Examiner's statement of reasons for allowance as set forth in the communications mailed on March 24, 2006. The Applicant concurs with the Examiner's conclusion that the prior art does not suggest or render obvious the claimed invention. However, Applicant submits that it is the claim as a whole, rather than any particular limitation, that makes each of the claims in the above-identified application allowable. No single limitation should be construed as the reason for allowance of a claim because it is each of the elements of the claim that distinguish the claim from the prior art and make it allowable.

Respectfully submitted,

Dated: June 15, 2006

By: 

ERIC L. MASCHOFF  
Registration No. 36,596  
Customer No. 022913